

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

JONATHAN ELTON MCCORQUODALE, §  
#02124220

VS. § CIVIL ACTION NO. 6:18cv477

DIRECTOR, TDCJ-CID §

ORDER OF DISMISSAL

Petitioner Jonathan Elton McCorquodale, an inmate confined in the Texas prison system, proceeding with retained counsel, filed the above-styled and numbered petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his 2016 Smith County conviction for aggravated sexual assault. The petition was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the petition for a writ of habeas corpus should be denied as time barred. (Dkt. #11). Mr. McCorquodale has filed objections. (Dkt. #12).

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Mr. McCorquodale to the Report, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of Mr. McCorquodale are without merit. The court reiterates that the petition is time barred, and Mr. McCorquodale's arguments to the contrary in his objections are devoid of merit.

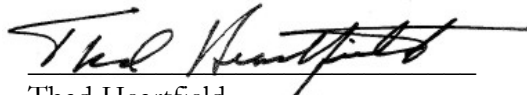
Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the court. It is accordingly

**ORDERED** that the Report and Recommendation (Dkt. #11) is **ADOPTED**. It is further

**ORDERED** that the petition for a writ of habeas corpus is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is finally

**ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**SIGNED** this the 4 day of May, 2020.

  
Thad Heartfield  
United States District Judge